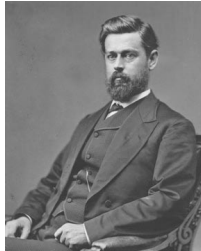


# Senate Statistics

## Secretaries of the Senate

### George C. Gorham (1868-1879)



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It was my fortune for eleven years to have admission to the Senate in secret session, as secretary of that body. Slow as the Senate is in changing, I saw about two hundred different men sit as Senators during that time. When I left [the Secretary's post, the Senate] contained but four who had been members when I entered its service. I never saw more human nature per capita than among those two hundred . . . *George C. Gorham, 1898*

DEADLOCKED! For the only time in the Senate's history, Republicans and Democrats entered a new Congress with exactly the same number of members. When the Senate convened on March 4, 1881, the roster stood at 37 Republicans, 37 Democrats, and two Independents. While one of the Independents, former Supreme Court Justice David Davis, announced he would vote with the Democrats on such organizational matters as appointment of committees and selection of Senate officers, the other's vote seemed up for grabs. Virginia's [William Mahone](#) owed his Senate election to support from a breakaway faction within his state's Democratic party. Senate Democrats, who held a majority in the previous Congress, believed they could keep control by enticing Mahone with committee assignments and patronage appointments. On the other side of the aisle, the Republicans had just inaugurated President [James Garfield](#) and had no intention of giving up the Senate without a vigorous fight. If they could win Mahone's support, the Senate balance would be set at 38 votes apiece, with Vice President [Chester Arthur](#) breaking any ties on behalf of his Republican colleagues.

Into this volatile situation stepped former Secretary of the Senate George C. Gorham. Up to this point, the 51-year-old Republican had enjoyed an active career. Born in New York on July 5, 1832, and educated in Connecticut, he moved to California in 1849 — joining other "49ers" in the mad rush to discover gold. Quickly tiring of that quest, he won a position as law clerk with Stephen J. Field, who became his lifelong mentor and friend. (Field went on to serve on the California Supreme Court and then the U.S. Supreme Court, where he would become the second-longest-serving justice in that body's history.)

In 1859, Gorham shifted to journalistic pursuits, first as assistant editor of the *Sacramento Daily Standard* and then editor of the *San Francisco Daily Nation*. During the mid-1860s, thanks to Justice Field, he served as clerk of the U.S. circuit court in San

Francisco. In 1867 he ran as Republican candidate for governor of California. His efforts to gain better treatment of that state's exploited Chinese immigrant population proved unpopular with many voters and contributed to his defeat. Gorham then moved to Washington, D.C. to represent California on the Republican National Committee. On June 6, 1868, with an assist from California's influential Senator [John Conness](#), he won election as Secretary of the Senate, succeeding John Forney, who had resigned at the conclusion of Andrew Johnson's impeachment trial.

Gorham's eleven years as Secretary spanned the post-Civil War Reconstruction era — a time of great turbulence for the Senate and the nation. During that period, the Senate witnessed the arrival of the [first African American senator](#) (1870); creation of the Committee on Privileges and Elections to help resolve the many Reconstruction-inspired Senate election disputes (1871); denial of committee assignments to Liberal Republicans who differed with their party's mainstream leadership (1871-1872); investigation of financial misconduct involving the vice president and members of Congress (1872-1873); and the political deal that resolved the deadlocked 1876 presidential election and effectively ended the Reconstruction era.

That period also brought changes to the Secretary's Office under Gorham's leadership. In creating the positions of financial clerk (1870), journal and minute clerk (1870), and enrolling clerk (1877), he specifically recognized and elevated the functions performed by three of his eight subordinate clerks. He established the Senate Library in 1871 and appointed George Wagner the first librarian. He took direct responsibility for the official reporters of debates in 1873 as the old privately contracted *Congressional Globe* gave way to the official *Congressional Record*.

When the Democrats gained control of the Senate in March 1879, they quickly replaced Gorham, who had been an active and outspoken Republican throughout his tenure. In 1880, the former Secretary became editor of the *National Republican* and quickly displayed his talents as a gifted editorial writer.

By March 1881, as each party frantically sought to persuade Virginia Independent William Mahone to help it organize the Senate, Gorham saw an opportunity to get his old job back. If he could persuade Mahone to side with the Republicans, he believed the secretaryship would be his.

Following a period of furious negotiations, the Senate on March 14 proceeded to consider committee assignments and the election of its officers. Curious members of the House vied for space on the Senate floor, while a noisy mob jammed the galleries. All waited tensely for Mahone to signal his choice of parties. When the clerk reached the Virginian's name, the chamber fell silent. From his seat on the Democratic side, Mahone cast his vote with the Republicans. The victorious Republicans rocked the chamber with cheers and shouts. On the following day, an ornate basket of flowers from the White House conservatory adorned Mahone's desk. For his support, Mahone received the chairmanship of the Agriculture Committee — an assignment of great importance to his Virginia

constituents — and control over selection of the Secretary of the Senate and the Sergeant at Arms. Gorham was elated.

The Republicans' sweet dreams, however, soon became nightmares. With several Republicans absent because of illness and home-state obligations, the Democrats moved to protect the existing officers and staff—members of their party — whose jobs stood in peril, by failing to answer quorum calls and thereby delaying the proceedings. When President Garfield complained about his long list of executive nominees awaiting Senate confirmation, Democrats proposed a deal that would keep their officers in place while allowing Republicans, in control of committee chairmanships, to proceed with the confirmation process. One Republican signaled a continuing stalemate as he observed "the present officers are good, but we have others just as good and we intend to put them in their places. It is a question of endurance and we had better settle it."

Further dimming Gorham's reappointment hopes, a serious split developed within the Republican party between supporters of New York Senator [Roscoe Conkling](#) and President Garfield. When the president refused to appoint a Conkling lieutenant as collector of the Port of New York, Conkling and his New York colleague [Thomas Platt](#) impulsively resigned from the Senate in a risky plan to have their state's legislature immediately reelect them. Conkling believed this renewal of support would strengthen his hand against the White House, but he miscalculated badly. Both Conkling and Platt failed to be reelected and their departure gave Democrats a two-vote Senate majority. However, in the interest of wrapping up the deadlocked session, the Democrats agreed not to reopen the issue of committee control. In return for keeping their chairmanships, Republicans sacrificed Gorham's hopes by permitting the Democrats to retain control of the Senate's officers and patronage.

At the start of the 48th Congress in December 1883, George Gorham again tried to regain the Secretary's job. On that occasion, however, the caucus of Republican senators decided on another candidate after concluding that memories of Gorham's vigorous editorial support for Conkling against Garfield would only rekindle smoldering resentments between the party's major factions.

Gorham retired from the *National Republican* in 1884 and devoted the remaining quarter-century of his life to writing. His most notable accomplishment of that period was an authoritative two-volume biography of Edwin Stanton, Abraham Lincoln's Secretary of War. Gorham died at his home in Washington on February 11, 1909.

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### **"Unwritten Laws of the United States Senate"**

In January 1898, former Secretary of the Senate George Gorham addressed the New York Avenue Presbyterian Church's men's club (of which he was president) on the topic "Unwritten Laws of the United States Senate." Here, in his words, are some of those "laws."

*On precedents:* One of the Senate's unbending rules is to do nothing it has never done before, and in what it does, to never deviate from previous methods. . . . If any incident occurs which is out of the common, it is not dealt with in an off-hand manner, in accordance with the judgment of those present [in the Secretary's Office], but the *Journal* is searched until a similar case is found, and whatever course was then pursued is carefully copied.

*On attendance:* The Senate chamber is very sparsely populated during the first few minutes of its daily session, which are commenced precisely at noon with a prayer by the chaplain. One morning, only one senator appeared in his seat at the appointed hour, where upon the president pro tem struck the desk with his gavel and, with the utmost gravity, said: "The Senator from Vermont will come to order." The senator obeyed and the prayer went on.

*On conference committees:* Get an item of any size into an appropriation bill in the House, secure an amendment to it in the Senate, and four men can do pretty much as they please as to the amount.

*On expedited legislation:* During the presidency pro tem of Mr. [\[Benjamin\] Wade](#), a new and bashful senator told him he desired very much to obtain the floor to ask unanimous consent to pass a certain private bill. "Oh, bring it right up after prayer," said the old gentleman. "First rate time to pass your bill when no senators are about." It is needless to say that the advice of the experienced old [senator] was taken, and with the desired result. It should be said that it was a bill to which none would have objected, for a more honest man never sat in a public body than the rugged old senator from Ohio.

*On compulsory voting and attendance:* There is a rule of the Senate which commands every senator to vote when his name is called for that purpose, unless for special reasons he is excused by the Senate. But this rule is a dead letter. No senator votes unless he chooses to do so. Whenever a senator's refusal to vote is criticized, the Senate's helplessness is disclosed, and no attempt is made to enforce the rule. [This is also the case] with the exercise of the constitutional power of a minority to "compel the attendance of absent members." They may be notified, but no sergeant-at-arms has yet been found who would lay violent hands upon a truant senator, and compel his attendance in the Senate chamber.

*On secret sessions:* Perhaps the feature of the Senate by which it is best known to most people is the secrecy of its executive sessions, which is at once an offense and a delight. It offends the American sense of official accountability to the people and it delights the love of mystery, which is one of the strongest human tendencies. It is as precious to the journalist as disease is to the physician.